PRESIDENT: Order, order. So far as I can see a large number of Honourable Members are in favour of the motion. Is it necessary to prolong the discussion? I leave it to the Honourble Members.

MR. K. KUNJU PANICKAR: I support the motoin.

PRESIDENT: So far as I can see thers is a consensus of opinion. The Bill has gone beyond that stage'l

MR. KAVIYOOR K. K. KOCHUKUJU :— സർ, ഇതിലേക്കു താഴെപ്പറയുന്ന അംഗങ്ങളടങ്ങിയ ഒരു കമ്മിറ്റി രൂപീകരിക്കണമെന്നപേക്ഷിക്കുന്നു.

മെമ്പേഴ്സ്.

എൻ. രാമകൃഷ്ണപിള്ള
റവ. കെ. വേലുപ്പിള്ള
കെ. പി. കൊച്ചുകോരാത്തരകൻ
റവ. പി. വേലായുധൻപിള്ള
കെ. ആർ. നാരായണൻ
എം. ആർ. നാരായണപിള്ള
ഈ. സുബ്രഹ്മണ്യയ്യർ
ശ്രീമതി റവ. നാരായണിഅമ്മ
കെ. കുഞ്ഞുപണിക്കർ
ജോസഫ വിതയത്തിൽ
ടി. സി. കേശവപിള്ള
ജി. വേലുപ്പിള്ള
കൊറാലിൽ പി. അബ്രഹാം
ടി. ടി. കേശവൻശാസ്ത്രി
എൻ. നാരായണക്കുറുപ്പ്
പി. കുഞ്ഞുകൃഷ്ണൻ
കവിയൂർ കെ. കെ. കൊച്ചുകുഞ്ഞു
ലീഗിൽ റിമെംബ്രൻസർ

PRESIDENT: Generally speaking the rule in all these things is that the person who leads the opposition on a particular measure is also included in the Select Committee. I would suggest that some persons from the other side may also be selected.

SADASYATILAKA T. K. VELU PILLAI: I suggest that Mr. M. Sivathanu Pillai may be selected to the Committee.

MR. M. SIVATHANU PILLAI: I suggest that Mr. C. Jebamony Nadar may also be selected to the Committee.

The motion was carried.

THE TRAVANCORE DISPOSITION OF PROPERTY BILL.

MR. E. SUBRAMONIA AIYAR: Sir, I rise to move the introduction of the Travancore Disposition of Property Bill in the Assembly. In a few words I shall outline the object of the Bill.

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PRESIDENT: Order, order. In the other place there is a Bill more or less on the same lines introduced by Mr. G. Narayana Aiyar. I was wondering, if Mr. Subramonia Aiyar sees no objection, whether a plan may be adopted for having a joint committee so that equal number of members from both the Houses may conjointly consider it. It might at the same time be useful. Mr. Subramonia Aiyar may consider it. It would be undoubtedly conducive to convenience if there is a Joint Select Committee for the purpose. The Joint Select Committee may be composed of equal number of members from both the Houses. By this means we can curtail time. I am only indicating that you might say whatever you might have to say with reference to that possibility.

MR. E. SUBRAMONIA AIYAR: I do not want to make a long speech on this occasion. My request is also that my Bill and the other Bill may be considered together. A few observations to be made are these. First with respect to the title of this Bill. I call it the Travancore Disposition of Property Bill.

Now, so far as property is concerned we have no law at present dealing with the transfer of property either by Act or by operation of law. But we accepted the principle that it is within the competence of a person to deal with what he has in any way he chooses subject to certain restrictions and limitations. Recent legislation has dealt with a very severe blow, and probably rightly, to the joint family system or the group ownership, so much so, joint ownership which was normal at one time must become more or less an exception now. At any rate I am on the safe side if I say that in our conduct in society private ownership or individual ownership is, at present, the criterion. No doubt, there are ways of thought and action which are making way or coming upon us for collective ownership on a different basis. When the time comes it is for us to think of that. My present attempt is only this. So far as we recognise private ownership there is a mental psychology behind it, because in every case of property acquired and released there is more or less the making of a conquest. If I can put it in that way, after all, property is conquest of mind over matter. Probably on the mental side I may say it is much better if one can become master of oneself. Certainly if that person becomes a master of himself his activities are not his own property and the matter will differ. When a person acquires a property he feels a certain amount of power in him and consequently he has certain natural desires not to deal with the property; he also desires, not probably a very laudable desire, but he has got a desire, that his property should have a destination which he fixes. Well, the law has given recognition and has gone a great way to help that. Why should you be given power to settle the property in a particular way? It is too late to think in the other way though law has recognised the other fact. Now, the old Organic Law, the Hindu Law, the Roman Law and the other systems of law were unable to go very far in this matter. In the Roman Law there is a proviso in the actual delivery of the property. If a property, either movable or immovable as the case may be, can be

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transferred only by the actual delivery, the person transferring it must be an existing person. That was the case in the Roman Law. When we come to the Hindu Law the transfer can be made when the chield is in the womb. No doubt children in the womb were treated as existing and as born. I know as a matter of fact property itself is not an enduring thing. So the difficulty in this matter was not occasioned by any desire to acquire and deliver the property in a particular way. But all these matters have been removed step by step and the society desires that even the property which may come into existence on a future date may be transferred. Now, in England, in France, in Germany, in all these places properties are transferred in favour of persons not in existence on the date of transfer. If the desire of a person to tie up a property to his family is given effect to that may come into conflict. So there was another current of thought which declared that the free alienation of property should not bend to the destructibility of the property.

But private property can be tied up for non-private ends, *i. e.*, for public purposes, such as charity, philanthropy, etc. Even in that direction the rigidity of the dead hand had been felt and even the man had an endowment. We should give effect to the intention of the person who endowed the property. That was at a time when we knew that we have been a creature of circumstances. When the circumstances had changed, the question arose before the Courts whether the law (the intention of the man as expressed by him) should be given effect to. The Law of Trust and the Law of Endowments came in and certainly legislation was required for that purposes and recently I may say, in our Religious Endowments Act, there is a particular section which I wouuld with great pleasure welcome. Because in so far as people are concerned, they should not legislate for all time to come. I do not think that their intentions should be tied up for ever. But we must be in line with other people. There are certainly limits for the desire of people—acquirer of property to benefit certain persons who are dearest and nearest to them—to be given effect to. So long as we recognise the accepted instinct of individuals as a necessary factor for the progress of society, and for its enrichment and so long as we accept the private ownership principle, the law must aid such persons to acquire more and more. If I know that if I acquire a lot of property (well, I am incapable of it) and if I know that the destination that I can give to that property will be respected by law, there will be a great incentive to make more and more. Actual instances have occurred in what experience I had of this litigation. Various settlements have come for consideration and without knowing the law, persons execute property and want it to be given not only to their existing children and unborn children but also to the children that may be born to those children. The Marumakkathayam group got the better of it in his way, because when property was acquired in the name of a woman by the husband, she was not treated as a donee of the property but only as the nucleus of the sub-Tarwad—so much so, that children who are borne to the man—do not take in the grant to their donees. The property is said to be

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[Mr. E. Subramonia Aiyar.]

sub-Tarward property and all children have an interest in the property. Whether the same rule is to be applied now after the disintegration of the Marumakkathayam Law and after the passing of the Nayar Act yet remains to be seen. Then effect was given to the intention of the people to adopt in such cases without disintegration. We should not leave it to the Judges to deal with it indirectly without what they think desirable in the circumstances of each case.

There is one other matter which I wish to emphasise in this connection and that is, though I have styled my Bill as the Travancore Disposition of Property Bill, I have not brought it without being alive to the existence and custom of the several communities which are in Travancore and which profess different religions. By a legislation, I do not want to bring into existence a rule which will encroach upon any religious head or religious principle. That also I must say beforehand. If any community does not want the benefit of this Bill, it is for them to make up their minds and it is open to them to say that they must be exempted. I speak with particular reference to my friend Mr. Mahomed. I know that even the creation of a life interest in favour of particular persons so that the property may revert to the donor on the death of the grantee -whether it is a transfer which would be valid under the Mahomedan law—is a question of some difficulty. The Mahomedan Law says one thing and the Hindu Law says another. The Privy Council have not expressed themselves definitely upon that matter. Anyhow, my friend can take refuge in another form through the creation of what is called a religious endowment. Considerable latitude had been given to it. It may be even illusory and it can benefit not only the existing people but unborn generations after generation who may be given the benefit of a disposition. Only a certain method is to be adopted. Whether that alone is necessary or whether it should come saying that this is a direct method of acquiring property in favour of unborn children, it is for my friend to decide. Certainly, I am prepared to place what little experience I have at the disposal of the House for the consideration of the question.

So far as Christians are concerned, whatever they may think about this matter, my own impression is that the Tagore case, as such, will not apply to them. So far as that question is concerned, I have got serious doubts whether an interest created in favour of unborn persons by a declaration of trust or otherwise will be held valid by the Courts of Travancore.

PRESIDENT: The Indian Succession Act takes a different line. It gives a specific section to that modified doctrine of perpetuity.

MR. E. SUBRAMONIA AIYAR: I was only submitting whether such disposition will be given effect to in Travancore in the absence of the Indian Succession Act or the Transfer of Property Act. So I am just telling my friends that though the Tagore Case in turn will not apply,

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the law will come to their help and give effect to their declared intention. The idea is that the declared intention of an acquirer of property must be given effect to as far as possible without infringing upon any rule of public policy. I do not think that it infringes upon any rule of religion, so far as my Christian friends are concerned, as was pointed out by the President. So I do not want to say anything more about those things. My intention is clear and my object is clear and that is the only thing which I should impress on my friends. There is nothing new in what I say. We are trying to give effect to the intention of the acquirer of property as far as we can. Effect was not given to it not because we did not desire it Many of us had come across instances, especially lawyers, where we do not know what we should do with this. In spite of the law, many persons execute documents. Such instances are not very few. All items of property can be transferred by deed. Delivery of property is not necessary but a deed alone is quite sufficient in Travancore. Even oral transfers are also allowed in Travancore. The difficulty is only about the form of transfer. We are at the question whether we should go to the limited extent to which the law as given effect to in British India and other civilised countries.

Then for the sections of the Bill, I have merely copied, I must confess, sections from the Indian Disposition of Property Act, though on one or two matters I have taken a different view. I do not quite agree with what is stated in some of the Rules. But I do not make any change now for the simple reason that it should not be thought I am bringing in a strange thing. For example, if a gift in favour of a class is inoperative with respect to one of them, then the whole gift must be void. So far as the law in England is concerned, certainly the Law of property has changed. We should not change it here for fear of introducing a strange thing. To avoid this, I have just adopted the British Indian model and I am placing these points for your consideration, whether after all we cannot come in line with what is done in England in these matters, *e. g.*, in the rule of perpetuity. The Transfer of Property Act, the Indian Succession Act and the Limitation Act are applied. In England it is 21 years plus period of gestation. Whether we should have this English rule modified is the question. I am not sure about the years life plus a definite period. They would go to the fundamental principle which I stated at the beginning, namely, private property shall not be tied up for private purposes of the acquirer or desires of the acquirer beyond a certain definite period. By giving heed to that principle, it is open to us to say that if persons come into existence within a specified period of the death of the person, those persons will be benefited and no others. Whether it offends a gainst the rule of perpetuity and whether regard must be had to actual or past events is another matter. By these, we can put more money into the pockets of the lawyer. Well, it creates an interest in favour of an unborn person, but that person must come into existence within a particular date of the expiry of the life in being or within any particular date of the disposition or within a particular time of the date on which the Bill

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[Mr. E. Subramonia Aiyar.]]

takes effect. Well, these are matters of detail which may be taken into account when the Bill passes through the further stages. These are the view points which I have to mention. I once again assure my friends that if any communities feel that the introduction of the Bill will infringe on their religious tenets, certainly those communities will be exempted from the operation of the Rules. Because another bill is in the sister House, I may say that both these Bills may be considered by a joint committee.

SADASYATILAKA T. K. VELU PILLAI: Sir, I rise to second the motion. The idea of a joint committee to consider the Bill is an excellent one. But before this House can take notice of a motion, when a motion is made, it should be seconded. A formal seconding is, therefore, my main purpose. I do not propose to speak at any length. But as this House is composed mainly of non-lawyer members, I wish to place before them two or three leading ideas to explain the object of the bill. The motion is in regard to the disposition of property. Property is the creation of law. There are two main concepts regarding property, physical and psychological; and the power of disposal is one of the essentials of property. The owner has complete right to do anything with it, *viz.*, *utendi et abutendi*, to use and to abuse, in any manner not forbidden by the law of the country. Property means ownership conferred upon individuals or corporations or other bodies by Municipal law. Such being the case, we ought, as far as possible, to give the benefit of our interpretation to the intentions and desires, which were entertained by those who acquired property and declared their wishes as to its devolution. They naturally desired that it should descend in the male or female line, or both, according to the practice of particular communities. The rule adopted in the famous case, was referred to by my learned friend, Mr. E. Subramonia Iyer, *viz.*, the Tagore case, was that the descendant should be restrained from getting the property and the court should not allow property to go on in a way, which was not warranted either by Hindu Law or even by the Law of England. The rule against perpetuities was not specifically applied to India, but the judges held that both under the Hindu Law and under the English Law, the locking up of private property for the benefit of unborn person should not be allowed. This principle was affirmed in the Transfer of Property Act. But the rule has now been changed. According to the law as now obtains a disposition is not invalid for the mere reason that it is for the benefit of unborn persons.

Now it is a human feeling—by human feeling I mean the feeling of general humanity – that whatever one has acquired by the sweat of his brow, or by "conquest" as explained by the President, will go to his children, children's children and so on *ad infinitum*. Attempts have been successfully made in other jurisdictions, and legislatures have interferred and removed the anomaly, making it possible for the real intentions of the acquirer to take shape and find a place in the law of

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Hindu Inheritance and Devolution. Now, Sir, it was stated by the mover that individual property is the rule now, and ownership by joint families does not find favour with legislatures and communities. It is so in a large measure. But the trend of legislation throughout the world is gravitating towards socialism and nationalism. Collective production and distribution mean the ownership of groups in some form or other. The milkman's cart, said Proudhon, converted him to socialism. If there is complete socialism, we should have different rules of property. But so long as we do not accede to this idea, and so long as this House does not accept it, a system of laws substantially socialistic is out of the question, so far as we in Travancore are concerned. We want legislation protecting the rights of individuals. We have to take things as they are.

I am one of those who are conservative enough, and perhaps wise enough, to take the view that so far as human nature is concerned, people generally would like the property they have acquired to go to their desedants. And it is to facilitate that intention this Bill has been introduced. I want only to say this much. I want only to amplify what my friend has already said. I know families, well known families, where the acquirers dedicated the bulk of what they acquired to some charitable purposes. Attempts are often made to dedicate property in nominal trusts to enable one's own descendants to have the benefit of his property by preventing indiscriminate alienation. I know a rich Nair Tarvad in South Travancore, where the bulk of property now existing consists of trust property. I know a Tamilian gentleman, a well-known merchant, whose father also had dedicated a lot of his property in trust in that manner. The son is now able to live, comfortably because of that trust. I need hardly explain what the Muslims do in that matter. The President has already explained it. So that, Sir, the law which we are now contemplating is a very necessary one. I entirely agree with my learned friend, when he said that the rule against tying up of property was due to some extent to want of imagination on the part of those who framed the laws in earlier times. In the infancy of civilisation people could deal only with concrete facts. The granting of any thing had to be perfected by delivery. There was the *traditio* in Rome. There was *livery of seisin* in England. There was Oodakapurvom the grant with water in India. Property had then to be, and was given, to definite persons only. Thus the granting of property to one who would be born in 100 years from the time of the grant was impossible. The law had to be changed in certain respects. We have been benefited by learning the thoughts, the opinions of, lawyers and legislators of modern times, and are thus able to think in the abstract and come to a conclusion that the old rule should be changed. It has been changed in Br. India and consistently with that and of the dictates of our own legislature concepts, this House has to accept the Bill. I, therefore, strongly support it.

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MR. P. S. MAHOMED : സർ, ബഹുമാനപ്പെട്ട മെംബർ ഈ ബില്ല് അവതരിപ്പിച്ചുകൊണ്ട് ഒരു സമുദായത്തിന്റെ താൽപ്പര്യത്തെ ഈ ബില്ലുമൂലം ഹനിക്കുവാൻ താനുദ്ദേശിക്കുന്നില്ലെന്നും ഒരു സമുദായത്തിന്റെ തലയ്ക്കുമുകളിൽ ഈ ബില്ല് കെട്ടിവയ്ക്കുവാൻ വിചാരിക്കുന്നില്ലെന്നും മുസ്ലീം സമുദായം ഈ ബില്ലിന്റെ പരിധിക്കുള്ളിൽ നിൽക്കണോ വേണ്ടയോ എന്നുള്ളതു് അവർതന്നെ ആലോചിക്കേണ്ടതാണെന്നും പ്രസ്താവിക്കയുണ്ടായി. ഏറ്റവും വലുതായ ഒരു ഭാരമാണ് അദ്ദേഹം ഇപ്പോൾ മുസ്ലീം മെമ്പർമാരുടെ മേൽ ചുമത്തിയിരിക്കുന്നതു്. ആ ഭാരത്തിൽനിന്നും ഒഴിഞ്ഞുനിൽക്കുവാൻ എന്നെക്കൊണ്ടു സാദ്ധ്യമല്ല. മഹമ്മദൻലാ അദ്ദേഹം പറഞ്ഞപ്രകാരം ഭാനം, വിൽ ഇവ എഴുതുന്നതിനെ സംബന്ധിച്ചിടത്തോളം ചില വ്യവസ്ഥകൾ ചെയ്തിട്ടുണ്ടു്. പ്രത്യേകിച്ചും ഒരു അവകാശിയെ അപേക്ഷിച്ചു് മറ്റൊരവകാശിക്കു കൂടുതൽ കൊടുക്കുന്നതിനെപ്പറ്റി, അല്ലെങ്കിൽ ഒരവകാശിക്കു കൊടുക്കാതെ മറ്റൊരവകാശിക്കു കൊടുക്കുന്നതിനെപ്പറ്റി കൊണ്ടുവരാവുന്ന എല്ലാ വാദമുഖങ്ങളും ആ നിയമപ്രകാരം തടയുകയാണു ചെയ്തിരിക്കുന്നതു്. ദാനം, എഴുതുന്നതിനെ സംബന്ധിച്ചും മറ്റും ചില വ്യവസ്ഥകൾ അതിൽ ചെയ്തിട്ടുണ്ടു്.എന്നാൽ മി: ഈ. സുബ്രഹ്മണ്യയ്യർ പറഞ്ഞതുപോലെ മറ്റൊരു വിധത്തിൽ ചില ഉദ്ദേശങ്ങൾ സാധിക്കുന്നതിനുള്ള വ്യവസ്ഥകളും അതിൽ ഇല്ലാതില്ല. അതിൽ പ്രധാനമായിട്ടുള്ളതു് ഒരുവൻ ഏതെങ്കിലും ഒരവകാശിക്കു കൊടുക്കാതെ മറ്റുള്ളവർക്കു കൊടുക്കാനുദ്ദേശിക്കുന്നുണ്ടെങ്കിൽ ചാരിറ്റിക്കും മറ്റുംകൂടി കൊടുക്കണമെന്നു നിർബന്ധിക്കുന്ന വ്യവസ്ഥയാണു്. അതുകൊണ്ടു് ഈ ബില്ല് ഇതേനിലയിൽ ഏതെല്ലാം വിധത്തിലാണു് മഹമ്മദീയ സമുദായത്തെ ബാധിക്കുന്നതെന്നുള്ളതു എനിക്കറിഞ്ഞുകൂടാ. ബ്രിട്ടീഷ് ഇൻഡ്യയിൽ മഹമ്മദീയർ ഈ ബില്ലിനെ എങ്ങിനെയാണു് വീക്ഷിച്ചിരുന്നതെന്നും എനിക്കു നിശ്ചയമില്ല.

MR. E. SUBRAMONIA AIYAR : അവിടെ മുസ്ലീം സമുദായത്തെ ഒഴിവാക്കിയിരിക്കയാണു്.

MR. P. S MAHOMED : അവിടെ മുസ്ലീമിങ്ങളെ ഒഴിവാക്കിയിരിക്കുന്നുവെന്നു പറയുന്നു.

ഇവിടെ മുസ ലീമിങ്ങൾ എന്താണു ചെയ്യേണ്ടതെന്ന് ഒരൊറ്റനിമിഷംകൊണ്ടു് എനിക്കു പറയുവാൻ നിവൃത്തിയില്ല. സമുദായത്തിലെ പ്രമാണികളെ കണ്ടു് ആലോചിക്കാതെ ഈ ബില്ല് ഞങ്ങൾക്കു

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വേണം എന്നു പറയുവാൻ നിവൃത്തിയില്ല. മറ്റുചില സംഗതികൾ ആലോചിക്കുമ്പോൾ ഈ ബില്ല് സ്വീകരിക്കാതിരിക്കാനും നിവൃത്തി കാണുന്നില്ല. ഏതായാലും സമുദായത്തിന് യാതൊരു ദുഷ്യവും വരാനില്ലെന്നു സമുദായത്തിലുള്ളവർക്കു ബോദ്ധ്യപ്പെടുന്നപക്ഷം ഈ ബില്ല് സമുദായത്തെക്കൊണ്ട് അംഗീകരിപ്പിക്കുവാൻ എന്നെക്കൊണ്ട് കഴിവുള്ള എല്ലാശ്രമങ്ങളും ഞാൻ ചെയ്യുന്നതാണ്. അതല്ലാ ഈ ബില്ല് സമുദായത്തിന് അംഗീകരിക്കുവാൻ നിവൃത്തിയില്ലാതെ വരുന്നപക്ഷം മുസ്ലീങ്ങളെ ഈ ബില്ലിൽനിന്നും ഒഴിവാക്കണമെന്നു ഞാൻ അപേക്ഷിക്കുകയും ചെയ്യും. എന്റെ അപേക്ഷ അല്പമാത്രം സ്വീകരിക്കുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു.

PRESIDENT: I had not intended to speak on this measure until I heard Mr. P. S. Mahomed. In proceeding further with this measure, honourable members may disabuse themselves of any abstract legal doctrine either derived from cases like Dickens *vs.* Robinson, or the Tagore case or the interpretations given even to Lord Birkenhead Act recently passed regarding real property in England. I am asking this honourable House to consider legislation of this type and of analogous types purely from the point of view of the expediency of this legislation for the time being and for our society. I may also ask the House kindly to follow me in dealing very summarily with the history of this legislation elsewhere.

In England, the history of property was somewhat like this. There was a very strong individualistic tendency for a long time. The general sentiment of the people was, that as far as possible, property should not accumulate in the hands of any private person. What happened was that for a number of centuries the church at first, and then the barons, *i. e.*, the big land-holders, acquired not only lands but other property and kept those lands and that property perpetually in their own possession. That was why, for instance, Henry VIII had to disestablish the Church and confiscate the property of the Church. That was why later on the Statutes of Mortmain were passed in order to prevent the great noble men acquiring practically all the property in the country and the lands in the country and making the entire population at their disposal or control and to subsist at their sweet will and pleasure, fortified as they were by very strong measures like the Encroachment Regulation and the Enclosure Act of England. The whole idea of English life was that the eldest son should be in the enjoyment of the lands of the family and the other sons should go out seeking their living elsewhere. And there was always a tendency that the eldest son should keep the property under his control and the process of entail was therefore introduced for the purpose of getting over the difficulties I have already stated. There was always a kind of conflict

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[President.]

between the natural human tendency that property which a man acquires should go to his son or daughter, grand-son or grand-daughter and so forth, and the other tendency that no man should be allowed to get too rich or too powerful and go on being a second power in the State. That conflict exists in England. It was got rid of by a very democratic system similar to the Islamic Law by making it very difficult for a man to make a will. By the operation of the Zakat system and by the operation of the Raziat system the whole property should be distributed at the end of each generation. In other words it is not only the children that inherit the property but the parents, the grand parents, grand children, uncles, aunts, nephews, nieces and so forth, so that the whole idea of the Muslim Law at that time was that the democratic system of Islam should be preserved by making it difficult for property to get beyond one generation to the next generation. The wife got 1/6 of the property and if there were children, the male children got double the share of the female children and if there were parents however high or low, they got a share too. That was the original system. There again the conflict started. And how the Muslim land owners and the Muslim merchants tried to keep the money in the family was to see that the ultimate idea was that the mosque should be benefited. The son or the grand-son would be the trustee of the mosque and the property of the family would be the mosque's property. The family would have a share for the maintenance of the mosque. Technically there was no harm in that arrangement. The result of it was that a large number of endowment works were started where this illusory transfer of an endowment was continued, but nevertheless the property was preserved. In certain legislation in Egypt this has been assailed and to a certain extent controverted. I do not want to go into the history of these matters.

The question before Travancore is which is the system that suits us best. And I am definitely of the opinion that in order to achieve our own best ends, the process which has already started, disintegration, division and sub-division should be halted somewhere and that it should be possible from time to time to introduce legislation which will enable the accumulation of capital in a certain number of hands. It may be that a time may come fifty years later or seventy-five years later when that very accumulation of capital might be a source of mischief, when it might lead to such problems as are now being raised in America where for instance a few millionaires or multi-millionaires are in possession of the wealth and all the supplies in the State. Before the war all the petrol was in the hands of three or four people, all the steel in the hands of two or three and all the aluminium was in one hand. The result of it was that individual persons were able to dictate terms to the State. It may be that such a state of events may arise here later on. But our endeavours at the present moment being

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to start cottage industries, to make other industrial experiments, to start intensive agriculture, and having regard to our immediate needs, all legislation tending however limitedly should be to make for accumulation of property, for keeping property in the same family, for preventing disintegration, and for encouraging the consolidation of property. It is from that point of view that I would ask honourable members to deal with this item of legislation.

The motion that the Bill be read in the Assembly was put and carried.

Title of the Bill: The Travancore Disposition of Property Bill.

The motion that under Rule 51 a message recommending this Bill be sent to the other Chamber was put and carried.

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

PRODUCTION OF FOOD-STUFF IN THE STATE.

MR. K. R. NARAYANA AIYAR: Sir, this is not the first time that a resolution * of this kind has been brought forward for discussion on the floor of the House. If I remember correctly, the honourable member himself has been moving this resolution for the third time during the past two or three years.

Sir, Government are at one with the objective that is visualised in this resolution because they know it more than any one else, on account of the great difficulties that they have to surmount, on account of the great opposition that they have to stand against in the matter of procurement of food supplies from outside for feeding the teeming population. Therefore it will be the object of the Government to bridge the gap that now exists between the production of agricultural products within the State and the quantity that we have to import every year from outside. As I have stated on the floor of the House on more occasions than one we are deficient to the extent of about 30,000 tons of rice per month. The policy of the Government in regard to this matter has been clearly and lucidly explained by you, Sir, in the Presidential address which you gave to the members of the Assembly. I do not think it is necessary for me to recapitulate those fundamental points. I can only say that so far as Travancore is concerned the methods by which we could augment production are intensive cultivation and extensive cultivation and what is required more than any thing else at

* The resolution which runs as follows, was moved by Mr. K. P. Koohukora Tharakan on the 26th January 1943:

Production of food materials in the State.

1. MR. K. P. KOCHUKORA THARAKAN (*Kunnatnad cum Parur*): This Assembly recommends to Government that necessary steps be immediately taken by them to produce as far as possible in Travancore itself all the food materials like paddy required for consumption in the State, in view of the present difficulties to obtain them in sufficient quantities from outside.

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